IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.27917 of 2008
MADHURI DEVI
Versus
STATE OF BIHAR
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2. 27.08.2008 Heard learned counsel for the petitioner and the State.

Petitioner is an accused in a case registered for the offences under Section 364 of the Indian Penal Code in connection with Rahui P.S. Case No. 164 of 2004.

It is submitted on behalf of the petitioner that the present case has been initiated on the basis of complaint filed by the mother of the victim virtually to pressurize for giving up earlier case lodged by the husband of this petitioner against the son of the complainant for offence under Section 302/34 of the Indian Penal Code. He further submits that upon investigation, the police submitted final form finding the occurrence as a mistake of fact with regard to the alleged occurrence. However, learned Chief Judicial Magistrate deferred and took cognizance against this petitioner as well. Learned counsel for the petitioner submitted that son perusal of the final form, it would appear that the son of the informant found to have been killed and dead body was found for which separate case

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was registered vide Bihar P.S. Case No. 247 of 2004 dated 4.09.2004.

Having considered the submissions, as noticed above, and in the facts and circumstances of the case, it is directed that in the event of arrest or surrender within a period of four weeks from today, the petitioner, namely, Madhuri Devi be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Rahui P.S. Case No. 164 of 2004 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

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Jagdish/- **(Shailesh Kumar Sinha,J)**

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